

IC 23-14-58

Chapter 58. Abandonment and Reburial

IC 23-14-58-1

Authority to abandon certain cemeteries; removal of bodies

Sec. 1. If a cemetery in Indiana:

- (1) is under the ownership or control of any church or religious society;
- (2) is located within a city or town;
- (3) may have been, for at least twenty (20) years, abandoned as a place of burial of the dead; and
- (4) has become, in the judgment of the members or governing body of the church or religious society, impracticable and undesirable to maintain due to the growth of the city or town in which it is located;

the church or religious society may abandon the cemetery and cause the bodies buried within the cemetery to be removed under the conditions set forth in this chapter.

As added by P.L.52-1997, SEC.32.

IC 23-14-58-2

Abandonment of cemetery; removal and interment of bodies in suitable cemetery

Sec. 2. If:

- (1) a church or religious society has the ownership or control of a cemetery; and
- (2) it is determined, in accordance with the rules, regulations, and usages of the church or religious society, that it is impracticable and undesirable for the church or religious society to maintain the cemetery or burial ground;

the church or religious society may abandon the cemetery and cause the bodies buried in the cemetery to be removed and interred in a suitable cemetery.

As added by P.L.52-1997, SEC.32.

IC 23-14-58-3

Reinterment

Sec. 3. A church or religious society that takes action under section 1 or 2 of this chapter shall, at its own expense:

- (1) provide the place for the reinterment of all bodies in the abandoned cemetery;
- (2) cause the reinterment in a cemetery of all the bodies removed from the abandoned cemetery that can practically be reburied; and
- (3) preserve and cause to be replaced at the grave of each deceased person reinterred in another cemetery any gravestone or other marker found at the grave from which the body was removed.

As added by P.L.52-1997, SEC.32.

IC 23-14-58-4

Lawfulness of actions

Sec. 4. Actions taken under this chapter by any person acting under the direction of:

- (1) a church or religious society; or
- (2) the officers or governing body of a church or religious society;

are lawful.

As added by P.L.52-1997, SEC.32.